

Entered - 02/22/00 - sb
CL00L0082 - DIANNE C. MITCHELL

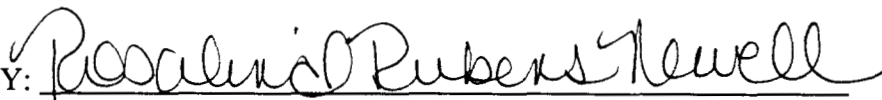
CLAIM OF: **HILL AND ASSOCIATES as agent of ADRIAN
BYRD**
P. O. Box 4513
Marietta, Georgia 30061-4513

For damages alleged to have been sustained as a result of a vehicular
accident on August 15, 1999 at Oliver Street and Neal Street.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the
action of the Department of Law be approved in authorizing payment
to **HILL AND ASSOCIATES as agent of ADRIAN BYRD** the
sum of **\$1,000.00** in full settlement and satisfaction of all claims,
past, present and future, of every kind and character for damages
alleged to have been sustained as a result of a vehicular accident on
August 15, 1999 at Oliver Street and Neal Street as is more
particularly set forth in the within claim; said sum taken from and
charged to account 1A01/529017/T31001, Settlement of Suits and
Claims, Department of Law.

APPROVED:
SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0082

Date: October 23, 2000

Claimant /Victim HILL AND ASSOCIATES AS AGENT FOR ADRIAN BYRD

BY: (Atty) (Ins.Co.) _____

Address: P. O. Box 4513, Marietta, Georgia 30061-4513

Subrogation: _____ Claim for Property damage \$ 1,915.35 Bodily Injury \$ _____

Date of Notice: 02/15/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 08/15/99 Place: Oliver Street and Neal Street

Department Police Division: _____

Employee involved Eric Quarles Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way after stopping for a stop sign and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver X Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 11-23-00

Committee Action: _____ Council Action _____

FORM 23-61

Jordan
02/21/00
PC

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 1-31-2000

FEB 15

02-15-00P04:43 RCVD

Dear Municipal Clerk:

ENTERED - 2-22-00 - SB
00L0082 - DOBBS JORDAN

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,915.35 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: - 99
(month/day/year)
2. Police called: ✓
Yes No
3. Location of incident: Neal St
4. Name of your insurance company: Acceptance Insurance Co. Policy No. AAGA-00003844
5. State what and how incident occurred: I was going through the intersection and the police ran the red light.

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Honda 1987 275LWA Adrian K. Byrd, Jr
(make) (year) (tag number) (driver's name)

City vehicle: _____
(make) (City driver's name) (department/bureau)

8. Witness: _____
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Adrian K. Byrd, Jr.
(claimant's name)
226 Sciple Ter. N.W.
(address)
Atlanta, Georgia 30314
(city and state)
404-346-2469 404 525-2731
(work number) (home number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0082

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Eric Quarles, from any and all
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
which occurred on or about the 15th day of August, 1999,

at or near Oliver Street and Neal Street.

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 19th day of September, 2000.

Adrian K. Byrd, Jr. (LS)
ADRIAN K. BYRD, JR.

The above release was read and explained to, and signed by the said _____

ADRIAN K. Byrd, Jr. in our presence on the date above written.

Pearson Eastham
PEARSON EASTHAM
Witnesses

00- R -1805